

Agenda

REVISED



Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

June 10, 2004

1. **INVOCATION – Councilmember Cahill**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES – Councilmember Goronkin**
 - A. Approval of Council Meeting Minutes
 - B. Acceptance of Board & Commission Meeting Minutes
 1. Board of Adjustment – April 28, 2004 [20040610boa01.pdf](#)
4. **REPORTS AND ANNOUNCEMENTS**
 - A. Mayor's Announcements
 - **Tempe Employees Graduation Recognition**
 - B. Manager's Announcements
5. **CONSENT AGENDA**

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

'q-j' indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

A. Miscellaneous

2. Request to set Executive Session for the City Council meeting of June 17, 2004, if needed, in the Harry E. Mitchell Government Center, Municipal Building, 3rd Floor Conference Room, 31 E. 5th Street.

COMMENTS: Agenda for Executive Session will be posted at least 24 hours prior to such meeting.

3. Request approval of a five-year extension to the existing Ken McDonald Golf Course Restaurant Contract.

DOCUMENT NAME: [20040610csmr01.pdf](#) **BACKGROUND MAT'L FOR PURCHASE AGMTS (0114-01-00)** Contract #94-113

4. Request approval of an agreement between Ironman North America Triathlon, Inc., the Tempe Convention and Visitors Bureau and the City of Tempe for the City to host the Ironman Championship Triathlon in April 2005.

DOCUMENT NAME: [20040610csmr02.pdf](#) **SPORTS ADMINISTRATION /POLICIES (0105-01-07)**

5. Request approval of a \$20,000 increase in the contract with The Groundskeeper during the initial contract period for landscape maintenance services.

COMMENTS: Increase is from \$95,000 to \$115,000 annually.

DOCUMENT NAME: [20040610fst01.pdf](#) **PURCHASES (1004-01)** Contract #T03-090-01

6. Request approval of a \$27,531 increase in the contract with Infax, Inc., for Calendar Information Display System software maintenance.

COMMENTS: Increase is from \$129,769.50 to \$157,300.50.

DOCUMENT NAME: [20040610fsdl03.pdf](#) **PURCHASES (1004-01)** #04-016

7. Request approval of a Final Subdivision Plat for Geneva Industrial Park located at 1016 West Geneva Drive.

COMMENTS: (RREEF Management, Bret Borg, property owner) #SBD-2004.06 for an Amended Final Subdivision Plat consisting of two (2) lots on 6.98 net acres.

DOCUMENT NAME: [20040610dsd2k03.pdf](#) **PLANNED DEVELOPMENT (0406)**

8. Request approval to use \$1,004,580 of contingency funds to cover excess costs incurred for fuel, tuition reimbursement, deferred compensation, and other miscellaneous items.

DOCUMENT NAME: [20040610fsae01.pdf](#) BUDGET 03/04 PRELIMINARY
DOCUMENTS (0205-19-01)

B. Award of Bids

9. Request to award professional services contracts with Geotechnical and Environmental Consultants, Inc., for construction observations, testing services and special inspection services for the Tempe Performing Arts Center.

COMMENTS: Total cost of these contracts shall not exceed \$397,000.

DOCUMENT NAME: [20040610PWTG05.pdf](#) TEMPE ARTS CENTER (0109-19)
PROJECT NO. 57-997005

10. Request to award a construction contract to T&T Construction, Inc., in an amount not to exceed \$244,082 (Base Bid); approve a construction management contract with Superstition Foothills Consulting Services, Inc. in an amount not to exceed \$10,680; and approve a contingency of \$50,000 for sewer and waterline replacement, and a new manhole.

COMMENTS: Sewer/waterline replacement is east of Mill Avenue between 7th Street and University Drive; manhole is in alley between University Drive and 9th Street.

DOCUMENT NAME: [20040610PWMG01.pdf](#) WASTEWATER (0802-02)
PROJECT NO. 3201131

11. Request to award a construction contract with Valley Rain Construction Corporation in an amount not to exceed **\$955,017 (Base Bid plus Alternates 1, 2, 5, 6, 7, 8, & 9)**; approve a change order contingency amount of \$67,000; approve a construction management contract with Foresite Design & Construction, Inc., in an amount not to exceed \$29,936; and approve a contract addendum with Olsson Associates in an amount not to exceed \$18,000 for construction phase design services for the Cole & Rotary Parks Improvements project.

DOCUMENT NAME: [20040610PWMG02.pdf](#) PARKS ADMINISTRATION
(0706-01) PROJECT NO. 6301531

12. Request to award a one-year limited source contract with Vehicle Technical Consultants for bus inspection services.

COMMENTS: Total cost for this contract shall not exceed \$60,000 during the contract period.

DOCUMENT NAME: [20040610fsdl04.pdf](#) PURCHASES (1004-01) #04-133

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *13. This is the **introduction and first public hearing** for approval of a Quit Claim Deed relinquishing certain rights-of-way located within the Hayden Square Development. **The second public hearing is set for June 17, 2004.**

DOCUMENT NAME: [20040610PWMG04.pdf](#) EASEMENT ABANDONMENT
(0901) ORDINANCE NO. 2004.23

- *14. This is the **introduction and first public hearing** to request the abandonment of a portion of right-of-way located within the Newberry Terrace redevelopment area. **The second public hearing is set for June 17, 2004.**

COMMENTS: Right-of-way is known as South Terrace Road and South Newberry Lane.

DOCUMENT NAME: [20040610PWMG06.pdf](#) RIGHT OF WAY
ABANDONMENT (0901) ORDINANCE NO. 2004.24

D. Ordinances and Items for Second Hearing/Final Adoption

- *15. This is the **second public hearing** for an ordinance approving the First Addendum to the Restated Development and Disposition Agreement for the Rio Salado Boardwalk Development Project.

DOCUMENT NAME: [20040610edca01.pdf](#) PLANNED DEVELOPMENT
PROJECTS (0406) ORDINANCE NO. 2004.22

- *16. This is the **second public hearing** for an ordinance authorizing agreements conveying the Laird and Dines Building to Street Retail Tempe I, LLC, and terminating the ground lease.

DOCUMENT NAME: [20040610dsnc01.pdf](#) COMM DEV/REDEVELOPMENT
ADM (0403-01) ORDINANCE NO. 2004.18

- *17. This is the **second public hearing** to amend the Tempe City Code, Chapter 8, relating to buildings, by amending Article III, Section 8-300.

DOCUMENT NAME: [20040610dsbf01.pdf](#) TCC CH 8 CITY CODE (0503-8)
ORDINANCE NO. 2004.25

- *18. This is the **second public hearing** to adopt an ordinance to authorize the Public Works Manager or designee to execute certain permits, agreements and contracts.

DOCUMENT NAME: [20040610PWTG03.pdf](#) ENGINEERING ADMINISTRATION
(0803-02) ORDINANCE NO. 2004.21

- *19. This is the **second public hearing** for the historic designation of the Butler House (Gray residence) located at 1220 South Mill Ave.

COMMENTS: (Robert Gray, property owner), located at 1220 South Mill Ave, including the following: **#HPO-2004.24** This request is for the designation of the Butler House as an historic property, a single-family residential home built in 1939. Per Chapter 14A "Historic Preservation" of the Tempe City Code, the application approved

by the Historic Preservation Commission must also be approved by the Planning & Zoning Commission and City Council.

DOCUMENT NAME: [20040610dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *20. This is the **second public hearing** for a Zoning Change, Preliminary and Final Planned Area Development and a Final Subdivision Plat, for Millstone located at 330 South Farmer Avenue.

COMMENTS: (Barton Homes, LLC, Patrick Barker, property owner), including the following: **#ZON-2004.01 Ordinance No. 808.2004.01** for a zoning change from R-3, Multi-Family Residential Limited to R1-PAD One Family Residential on 2.8 gross acres. **#SPD - 2004.07** for a Preliminary and Final Planned Area Development (PAD) consisting of 48, 3-story, two and three bedroom townhomes (42, 3-bedroom and 6, 2-bedroom, totaling 90,360 square feet) on 2.48 net acres. **#SBD-2004.08** for an Amended Final Subdivision Plat consisting of 48 lots and four (4) tracts on 2.48 net acres.

DOCUMENT NAME: [20040610dsd2k01.pdf](#) **PLANNED DEVELOPMENT (0406)**

E. Resolutions

21. Request approval of a resolution revising the City of Tempe Personnel Rules and Regulations relating to holiday pay and medical leave.

DOCUMENT NAME: [20040610hrds01.pdf](#) **PERSONNEL RULES & REGULATIONS (0301-01) RESOLUTION NO. 2004.41**

22. Request approval of a resolution to establish new solid waste rates for residential and commercial customers effective August 1, 2004 and November 1, 2005.

DOCUMENT NAME: [20040610fstd01.pdf](#) **MISCELLANEOUS FEES (0210-05) RESOLUTION NO. 2004.49**

6. **NON-CONSENT AGENDA**

7. **CURRENT EVENTS/COUNCIL ANNOUNCEMENTS**

8. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.